was an old and important road in the State. It passed through certain very thickly inhabited regions of Central Travancore and connected the newly created Pattanamthitta taluk with the rapidly developing areas of Rani and Koni. Though the Pamba river ran parallel to the road, it was practically useless for purposes of traffic, being too shallow in summer and the current too strong during floods. The people of Central Travancore had been experiencing great difficulties for want of a good road from Kozhenchery to Mavelikara. After repeated petitions and memorials, estimates amounting to half a lakh of rupees had been sanctioned by Government for the above road, but the works had not been taken in hand for want of funds. The people had started work on the Chengannur-Kozhenchery road, 7 miles long, and had almost completed the earthwork at a cost of Rs. 15,000, raising the road above the flood level and had requested Government to take up the road and complete the work already done, by providing the necessary culverts and bridges. The road had been inspected by the late Dewan, the Chief Engineer and the Deputy Chief Engineer, and they were all favourably impressed with the work done at enormous cost and labour. The Member submitted that, if the work were allowed to lie over in its present unfinished condition, it would be a great calamity; and people would hesitate before launching on such useful enterprises hereafter. He also submitted that the people had completely raised the Chengannur-Mannar road above flood level at great cost and that, if two bridges were put up on the road, the road would become fit for traffic. The people were prepared to do the work satisfactorily at half the cost, if entrusted to them. In conclusion, he prayed Government to take up the roads especially the Chengannur-Kozhenchery road, and complete the work already done by the people by the provision of necessary bridges and culverts.

Dewan's reply.—I understand that the real difficulty in regard to the road in question is its alignment. Your request is to abandon the alignment already decided upon and to take the road alongside the bank of the river where it will be subject to submersion. The new alignment, it is said, will be too costly to maintain. Apparently, you want the road to be made alongside the bank of the river through low ground.

Member.—We have raised the bank up to the flood level.

Dewan.—You have done only a small portion of it, I understand.

Member.—We have raised the level throughout.

Dewan.—You mean all the 16 miles?

Member.—I am speaking of the 7 miles of the road with which I am concerned

Dewan.—The matter is under investigation. As soon as the papers come to me, I shall be glad to see what can be done.

Member.—If two culverts are constructed, the road will be completely fit for traffic.

Dewan.—If I happen to come that side, please show me the road. I shall be glad to see it.

65. Difficulties experienced by the public in the Civil Courts and the necessity for effecting certain changes in their working.

Mr. Narayanar Janardanar (Member, Jenmi, Trivandrum) first dealt with grievances of the litigants in connection with *exparte* decrees. He said that with a view to delay the decree-holder in *exparte* decisions, the defendants were in the habit of putting in petitions to set aside such decisions without any real grievance, and submitted that the evil could be remedied to a large extent by insisting that, as a condition precedent to the acceptance of such petitions, the petitioners should be asked to deposit the decree amount in court. He also requested that both the contending parties might be given the right to appeal against the decision on the petitions for setting aside *exparte* decrees. Another suggestion of the Member for preventing such frivolous petitions was that the Civil Circular requiring 75 per cent of the processes to be

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served personally by the process servers should be more strictly enforced and that a circular should be issued to the effect that all processes should be returned with the countersignature of the party or his vakil.

In regard to their grievances in connection with the decrees of civil courts, the Member said that the decrees were now drawn up by incompetent and ill-educated clerks who made incorrect entries in the decrees which necessitated frequent applications for correction of such decrees in terms of the judgment. The duty of drawing up the decree should, in the opinion of the Member, be laid upon the Munsiffs themselves. He also complained against the haphazard manner in which *nirak* rates were now being prepared and suggested that the *nirak* should be prepared and attested by important merchants and by the Tahsildar before they were sent to the civil courts.

Dealing with the execution branch, the Member mentioned that there was great delay generally in the matter of execution of decrees and contended that much wastage of time could be saved, if, instead of sending decrees to other courts for execution, warrants were sent to those courts, as by such a course the parties would be saved much unnecessary cost, inconvenience and delay. He contended that the rate of future interest subsequent to the decision should be increased from 6 to 12 per cent per annum generally and to a higher rate, if the parties had so agreed in the original document on which the suit was based. He also mentioned that a fresh application should not be insisted upon when an execution application was rejected for want of further action within seven days of the order on the petition and that a memo should suffice for restoring the application. The Member further wanted that notice to judgment debtors of applications for permission to bid in the court sale by the decree holder, should be done away with, as at times it had the effect of stopping the sale, if the notice was not returned served.

The Member next represented that the production of the encumbrance certificate and copy of chitta were unnecessary, as, in the case of the former, the Registration department denied all responsibility as to its correctness, and, in regard to the latter, the Settlement Register gave the necessary information. The Member also said that there was considerable difficulty in getting the above documents for production before courts.

The desirability of appointing more competent commissioners for the valuation of buildings and improvements was then urged by the Member. His suggestion was that the P. W. D. might be asked to value buildings and the Agricultural department to value improvements. He also stated that the cost of commission rendered necessary in examining persons exempt from personal appearance in civil courts should be held to be payable by the party who required such evidence and not by the person exempted, as was now done under Section 578 C. P. C., and that the Section should be amended accordingly. The Judges should be asked to take a memo of the notes of hearing in every case and the points raised should be explained in the judgment submitted.

The Member also requested that a Munsiff's Court be opened at Nedumangad by transferring one of the Munsiff's courts in Trivandrum to that place.

With a view to bringing about the above reforms and remedy the irregularities mentioned by him, the Member advocated very strongly the desirability of having a permanent Circuit Judge of the status of a High Court Judge for surprise inspection of the subordinate courts.

Dewan's reply.—Some of the points urged by the Member are matters of minor importance and most of the points referred to by the Member may be set right by moving the High Court. His chief representation relates to the appointment of a permanent Circuit Judge. The representation will be considered.

66. Public works in Travancore with special reference to Tiruvalla.

Mr. K. M. Mamman Mappilai (Member, Tiruvalla Taluk) thanked the Government for the welcome departure introduced in the opening Address in anticipating most of their representations and clearly defining the policy which the

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